

GUIDELINES FOR RESPONDING TO A FREEDOM OF INFORMATION ACT REQUEST

Please send all responsive documents to your division's FOIA Coordinator in PDF electronic format so they can be uploaded to FOIAOnline.

<http://intranet.epa.gov/online/sites/foia>

If you have any questions or need additional guidance, contact **Ivry Johnson**, FOIA Officer, 415-947-4251.

1. Read request and determine if it can be answered by your department or should it be routed to another office within your division. Contact you division's FOIA Coordinator immediately in case the request needs to be routed to another office within your division or if it needs to be routed to another division.

2. Identify and Locate Records - Does the request reasonably describe the records sought?

Yes: Begin a preliminary search for paper and electronic records that are responsive to the request. Electronic search should include emails as well as files saved to your computer or network drives. All searches should include current and archived files.

No: If request is broad or unclear, send requestor a clarification email and cc: the FOIA Coordinator and FOIA Officer. If you contact requestor by phone, summarize all conversations in a record of communication and send email to requestor (copy FOIA Coordinator and FOIA Officer). **This information will need to be uploaded into FOIAOnline**

After preliminary search for records is complete, estimate how much time and effort it would take to process this request.

3. Resolve Questions About Fees - Will this request come to a billable amount over \$25.00?

Yes: Assurance of Payment is needed

No: Process request and fill out cost worksheet

Did the requestor authorize a fee limit?

Yes: Process request to the amount authorized and fill out cost worksheet.

Requestor should be notified if more documents are responsive but we are not providing, because of fee limit imposed. Send requestor an assurance of payment letter to include additional fees.

No: Assurance of Payment is needed

Does the Requestor have a fee waiver?

Yes: An Assurance of Payment is not necessary. You will still need to complete a cost worksheet to fulfill reporting obligation costs related to FOIA requests.

No: Estimate the cost of fees, fill out cost worksheet, send to FOIA Coordinator and FOIA Officer, provide a point of contact (POC) and phone number.

COST WORKSHEET (if a fee has been assessed)

Fee Charges - *THERE IS NO COST FOR FOIA REQUESTS TOTALING \$14.00 OR LESS.*

- Hours must be > 0 and in quarter hour increments (.0, .25, .5, .75).

Complete and return to your **Program FOIA Coordinator**

Type of Staff	Charge per Quarter Hour
Clerical	\$4.00 per ¼ hour
Professional Staff	\$7.00 per ¼ hour
Managerial Staff	\$10.25 per ¼ hour

Type of Requester	Fee Category		
	Search	Review	Duplication
Commercial	Yes*	Yes	Yes
Educational	No	No	Yes* (100 pages free)
Non-commercial scientific	No	No	Yes* (100 pages free)
News Media	No	No	Yes* (100 pages free)
All Others	Yes*(first 2 hrs free)	No	Yes (100 pages free)

*Note that capitalized entries cannot be charged if the Agency fails to comply with response deadlines

Name: _____ **Phone #:** _____

Time	Task
	Search
	Review
	Computer System Time
	Authentication Time
Disk	\$2.25 Cost of Disk/Mailer
Other	

4. FOIA Officer will prepare Assurance of Payment letter and send to requestor. Stop all work on request until response is received from requestor. FOIA Officer will notify Program Office to resume work and provide a new due date.

5. Gather responsive records and contact ORC right away if documents should potentially be withheld from disclosure under FOIA.

6. Prepare closeout letter to requestor for management's signature

Partial and Full Denials:

Prepare draft letter with **ORC** and **FOIA Officer's** concurrence, prior to **Division Director's** signature and final processing. Maintain a copy of the withheld records and a detailed list of withheld documents to identify records to be made available in the event of an appeal.

Full Releases:

The program responding to the request will obtain a **Division Director, Deputy Director, First or Second Line Manager's** signature (in accordance with Delegation Authority).

No Records Response:

Fill out Certification Form and prepare No Records Exist correspondence for **Division Directors, Deputy Directors, or Second-Line Manager's** signature.

7. Send all signed letters and responsive records in PDF format (correspondence, emails, extension requests, etc.) to your Program FOIA Coordinator who will upload the information into FOIAOnline.

All sample letters can be found at: <http://intranet.epa.gov/9online/sites/foia>